

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services-Treasuries & Accounts Department- Nellore District-Disciplinary Action against Sri K.Dasaratharami Reddy, formerly Sub Treasury Officer, presently AAO (Retd), Penalty of Withholding 5% Cut in his Pension for a Period of (1) Year-Final Orders-Issued.

FINANCE (ADMN-III) DEPARTMENT

G.O.Rt.No. 2012

Dated:18-04-2009
Read the following:

- 1.Lr.No.167/RCO-NNL/97, dt.06.05.2000 from the DG, ACB, Hyderabad.
- 2.Charge.Memo.No.K1/20288/2000, dtd.7-12-01 of the DTA, Hyderabad
Issued to Sri K.Dasaratharami Reddy, ATO/AAO.
- 3.Written statement of defence of Sri K.Dasaratharami Reddy, dtd.30-1-2002
4. G.O.Rt.No.3937, dtd.2-11-2005 of Fin (Admn-III) Department.
5. Letter.No.516/COI-SSN/A1/2005, dtd.23-12-2006 of GA (COI) Dept.
- 6.Govt.Memo.No.5646/130/A1/Admn-III/2001, Dated:05-05-2007.
- 7.Representation of Sri K.Dasaratharami Reddy, ATO/AAO,(Retd), dt.9-6-2007.
- 8.Govt.Memo.No.5646-G/130/A1/Admn-III/2005, dated.04-04-2008.
Finance (Admn-III) Department to Final Show Cause Notice.
- 9.Representation dtd.11-05-08 of Sri K.Dasaratharami Reddy, ATO/AAO,(Retd),
- 10.From A.P.P.S.C. Lr.No.1420/RT-I/2/2008, dated.17-01-2009.

ORDER:

In the reference 2nd read above, the following charge was framed against Sri K.Dasaratharami Reddy, formerly Sub Treasury Officer, while working at Sub Treasury, Vakadu, Nellore District, in connection with the corruption and dereliction of duties leading to misappropriation of Govt. funds in B.C. Boys Ashram School Hostel, Ramatheertham, Nellore District

Charge:-

“Sri K.Dasaratharami Reddy, while working as U.D. Accountant in the office of the District B.C. Welfare Officer, Nellore colluded with Sri A.Subba Rao, Warden, B.C.Boys Hostel, Chittamur and admitted a House rent bill for Rs.35,532/- without budget by violating budget Control Orders and caused misuse of Government funds. Thus, he failed to maintain absolute integrity, devotion to duty and shown

conduct unbecoming of a Member of service and thereby contravened Rule.3(1) and (2) of A.P. Civil Services (Conduct) Rules, 1964”.

2. In the reference 3rd read above, in his Written Statement of Defence he denied the charge framed against him and stated that he worked at Sub Treasury, Vakadu for just 3 or 4 days as he was kept in charge of this Sub Treasury, consequent on sudden death of the STO Sri P.Tirupataiah, and the that Accountant concerned processed the bill for payment and put it up to him, and that on his enquiry he was informed of that the bill was processed for payment in anticipation of receipt of allotment and that his predecessor had admitted many such bills. The charged officer further stated that he noticed several bills admitted by his predecessor under various detailed heads and that when he contacted the DBCWO, Nellore, he was informed of that budget allotment was received and sufficient allotment would be made in respect of all bills drawn till then. The charged officer also stated that the D.S.W.O.(BC) specifically stated that the allotment orders would be released in a couple of days and assured that they got sufficient budget allotment i.e. Rs.5,40,000/-. While contending that he had to rely on the promise of the District B.C. Welfare Officer, the charged officer stated that the claim was not a fraudulent drawal and the amount drawn was properly made over to the house owner and as such there was no misappropriation.

3. Not satisfied with the Written Statement of Defence, the matter was entrusted to COI vide reference 4th read above, for regular enquiry under Rule 20 of APCS (CCA) Rules 1991 r/w Revised Pension Rules, 1980. The Member, Commissionerate of Enquiry submitted his report vide reference 5th read above, and the Enquiry Officer found guilty of the Charged Officer, to the extent of payment of the bill of Rs.35,532.00 without the budget allotment and without the budget authorization from the competent authority.

4. In the reference 6th read above, the Charged Officer was supplied with E.O's report and was given opportunity under Rule 21 of APCS (CC&A) Rules, 1991 for further representation on the Enquiry Report.

5. In the reference 7th read above, the individual has submitted his representation to the Enquiry Report, wherein he has stated that the rent bill for Rs.35532-00 was presented at Sub Treasury, Vakadu by the warden of the B.C. Boys Hostel, Chittamur. When it was scrutinized with normal Treasury checks, it was found that necessary sanction order issued by the Deputy Director Social Welfare, Nellore (with the note approval of Dist. Collector, Nellore) in his Proceedings No.Rc.No.B1/157/92, dtd.17-7-1993 was duly enclosed to the bill. It shows that the bill was in order. The specimen signature of the Drawing Officer also tallied with the signatures appended on the bill. He has admitted the rent bill in anticipation of budget and his successor STO should not have admitted any further bill and it was the responsibility of the successor STO to address the Dist. B.C. Welfare Officer, Nellore and get the budget allotted in time and he (Charged Officer) acted as STO I/c for 4 days only. Further stated that it is clearly

observed from the budget distribution statement communicated by the Dist. B.C. Welfare Officer, Nellore that some amounts were allotted for II & III quarters. It was clear that the drawing officer who had drawn the rent bill for Rs.35,532-00 ignored to allot that the same amount of budget to B.C.W. Hostel, Chittamur though, he was the bill drawing officer as well as budget distributing authority. The Dist. B.C. Welfare Officer, Nellore thus violated his responsibility and caused for procedural irregularity, it shows his negligence in distributing the budget, though he was allotted Rs.5.40 Lakhs. The Dist. Treasury Office, Nellore also stated to have instructed the Charged Officer to admit the bill immediately as there was pressure from the Dist. Collector, Nellore. The Charged Officer stated that he acted as incharge STO, Vakadu (on deputation from Sub Treasury, Gudur) only for 4 days i.e. due to sudden demise of Sri P.Thirupalaiah, STO, Vakadu. He assumed charge of the STO, Vakadu according to the directions of the DTO, Nellore to avoid inconvenience to public at his new place Sub Treasury, Vakadu. The STO Vakadu who succeeded him might have taken necessary steps to recoup the expenditure of Rs.35,532-00 under rents for the financial year 1993-94, as he has passed the bill in the capacity of STO I/C. the expenditure was already regulated in the accounts of Dist. Treasury, Nellore as well as Dist. B.C. Welfare officer, Nellore. The Hon'ble C.O.I., also concluded the payment of rent bill to the owner of the building was not irregular one and no misappropriation was occurred as.

6. After careful examination of the material i.e., charge memo, written statement of deference, Enquiry Report, representation of the Charged Officer on Enquiry Report, it is observed that in this case he passed the bill of Rs.35,532/- in 2nd quarter i.e., on 22.07.1993 without Budget Provision even though there were no instructions from the higher authorities to pass the bills in anticipation of the budget provision. Thus he is guilty of the charge to the extent of payment of rent bill without the budget allotment and without the budget authorization from the competent authorities. Government have come to provisionally decided to impose the punishment of 5% cut in his pension for a period of (1) year on Sri K.Dasaratharami Reddy, formerly Sub Treasury Officer, presently AAO (Retd), O/o Sub Treasury, Vakadu, Nellore District and accordingly final show cause notice was issued to the individual under Rule 9 of A.P. Revised pension Rules, 1980 vide reference 8th read above.

7. In the reference 9th read above, he has submitted his representation in which he has not raised any new points/ or new grounds and he has reiterated his earlier explanation. In the reference 10th read above, the Commission agree with the proposal of the Government, to impose the punishment of 5% cut in pension for a period of one year against Sri K.Dasaratharami Reddy, ATO/AAO,(Retd), and advise accordingly.

8. After careful examination of the matter, in exercise of the powers conferred under Rule 9 of A.P.C.S. (CC&A) Rules, 1991 r/w Rule 9 of A.P. Revised Pension Rules, 1980, Government hereby order the punishment of withholding 5% cut in his pension for a period of (1) year on Sri K.Dasaratharami Reddy, formerly Sub Treasury Officer, presently AAO (Retd), O/o Sub Treasury, Vakadu, Nellore District for the lapses mentioned in the Charge Memo. 1st read above.

9. The Director of Treasuries and Accounts, Hyderabad shall take necessary action accordingly and serve this order on the individual and send the duplicate copy with his acknowledgement to the Government, at the earliest.

10. The G.O. is available on Internet and can be accessed at the address <http://www.goir.ap.gov.in>

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRDESH)

Dr. SAMEER SHARMA
SECRETARY TO GOVERNMENT (FP)

To

The individual

(through the DTA, Hyderabad.)

Copy to: The DTA, AP, Hyderabad.

The Accountant General, A.P., Hyderabad.

The Secretary, APPSC, Hyderabad.

The Director General, ACB, Hyderabad

The A.P. Vigilance Commission, Hyderabad

The GA (COI) Department

//FORWARDED:: BY ORDER//

SECTION OFFICER